

February 10, 2015

To: The Honorable Madeline Hughes Haikala, Judge  
United States District Court For the Northern District Of Alabama  
Hugo L. Black United States Courthouse  
1729 Fifth Avenue North Room 319  
Birmingham, Alabama 35203

Dear Judge Madeline Hughes Haikala,

- Bottom line up front; we are not opposed to the rezoning, we only formally ask for a Grandfather clause be granted for children in their current school zone for grades 7-10. Let me explain in detail as to why.

I am writing you in regards to the Proposed Consent Order that has been agreed upon by the Huntsville City Schools and the Department of Justice in Huntsville Alabama. I have some issues that I would like to address with you as you possibly are my last hope to get something that I and so many others parents have pressed for at each Forum that took place in Huntsville during the last couple of weeks. You see myself along with many parents are attempting to get passed a Grandfather clause for existing students from grade 7 through grade 10 to remain in their current school/ feeder pattern. I myself have spoken at each of the three forums on just this issue alone.

As you know, these forums were held within a weeks' time from the moment the Proposed Consent Order was released to us the public. Each meeting was a listening tool for the DOJ and the School Lawyer's. They were not allowed to speak and we knew this. However, we feel that we still may not be heard on our issues presented. In fact at the last forum, I stated this; "This is what haunts me in relation to this, are these forums just for show and tell? Are we really going to be heard? Are there any changes that are going to be made?" This comes from past experience at each meeting that took place over 1 year ago. You, yourself commented to such a "hurried" set of meetings and you also stated that Dr. Wyardynski made no changes after those meetings, so you can see we are skeptical to changes being made this time. I personally do not feel that adequate time passed from presentation of the Consent order to the timeframe allowed for the community to speak. I myself along with other parents affected in my small neighborhood took it upon ourselves to go door to door just to get the info and the forum info out to parents. We set up an email account for questions. My neighbors knew nothing of what was taking place, nor the forums that were being held. So in relation to our door to door we had more parents speak up and attend these forums. So it leads us to believe how many more were not afforded the ability to know nor speak at the forums. I know the school district attempted to get the info out there, not saying that did not. However it was a timeframe issue. There was simply not enough time given.

I will give you some insight to my specific problem. You see my family (to which we are retired military) moved to Huntsville in summer 2012. We decided to rent a home instead of buying to see where the good schools were and the traffic patterns of Huntsville. We rented in South Huntsville. Our daughter started middle school in the 7<sup>th</sup> grade at Challenger Middle. She enjoyed her school and attended all Honor classes and participated in Advanced Band. She also participated in the school newspaper and was in the National Junior Honor Society. She was a straight "A" student throughout middle school. She was zoned for Grissom high. She met friends that she formed a bond with, something she was never afforded during our military career. She wanted to remain with these friends and go to high school with

afforded during our military career. She wanted to remain with these friends and go to high school with them and to graduate with them. So we as a family made a point to only search for our forever home in South Huntsville so she could remain at Grissom High and graduate with her friends. We bought our home in Dec 2013 after looking for 2 years. We, less than one month in our home found out the rezoning was proposed and we would be moved to Huntsville High. I was in complete shock as I knew nothing about it. Grissom High and Huntsville are both great schools, I however wanted Grissom as to me it is better based on my research. They offer things that no other does. They have gained recognition for things that no other has. Grissom was the best fit for her and us.

I personally attended the school meetings and personally spoke with Dr. Wyardynski at one of these meetings and informed him of my situation. He stated to me that if she was already in High school at the time of the rezoning she could remain there until she graduated. He stated he did not think it was right to move them to another school during high school. So he knew the hardships that would be placed on moving children during these difficult times. So you can see we, as parents in my affected neighborhood thought we would be safe. This apparently is not the case now. The DOJ did not like the rezoning plan. They had their own. So from what I understand you did not like what was taking place and made them enter into mediation. So they now have an agreement and we do not have a grandfather clause. Not sure who has the problem with it. A little background investigation led me to the fact that there has been a history and even precedents set that previously allowed for grandfather clauses. Rumor was circulating that there would be no clause this time. Why, I do not know. So some arguments have been made and they finally agreed to grandfathering existing juniors in. So a "clarification" was made into the Consent order for this. Nothing further has been afforded to any other high school grade.

I called the superintendent's office and was told no comment could be made and nobody would talk to me. His secretary was even offended to my repeated questions. I was even so upset that I was crying on the phone to her. She eventually hung up on me. This is no way to treat people. So I took it upon myself to attend the forums. The first one, I spoke off the cuff, I even discussed the negative consequences to moving kids from school to school. I offered studies that have been done with factual numbers. I have enclosed some of the websites of such studies for you as well. I mentioned I was a school Nurse previously and could comment on these with experience and knowledge of the hardships.

I quoted one specific study that stated that students who make even one non-promotional school change during high school were more than TWICE as likely not to complete high school. This study tracked over 11,000 students over a 6 year period. It also showed that these students tend to have lower grade level reading, more grade retention, lower test scores, higher absenteeism, and they do less homework. It also reported on the social and academic problems that directly affect their achievement, and worst affects their education status after school if they graduate. My own daughter has had trouble with her transition to high school. Her grades have dropped, the pressure has mounted. She is still taking all honor classes and is currently involved with the Dance program and the Theatre program at Grissom high. If she is moved, she will further fall down the ladder. She does not know one single person whom attends the other high school and would be behind the curve if forced to move both academically and socially. She would have to start all over again, not only with classes, but the social aspect alone would be the thing that sets her over the top. She has a small group of friends that she relies on and offers her support and she utilizes that support. They help each other with school work and building up each other's self-esteem. She is depressed and devastated right now. I am trying everything I can to help her through this. She, herself even spoke at one of the forums. I was proud of her; she is that passionate about remaining where she is.

The second and third meetings, I prepared a speech. I never opposed the rezoning at all. I only asked for a grandfather clause. A little background on our particular rezoning: Our small neighborhood is 1 ½ miles (if that) from Grissom high, we are being rezoned to a school that is more than 4 almost 5 miles away. My house sits just 2/10<sup>th</sup> of a mile from staying at Grissom. I mean 2/10<sup>th</sup> of a mile. My child whom can now walk to school or ride her bike will now have to be driven to/from school. They, the district offers no bus service for High school unless you live MORE than 5 miles away. I posed this at the last forum; this is a logistical nightmare for us parents. We work, I work, my husband works. My question to them was this, "Do I tell my boss I have to leave work to pick up my child from school?" I do not see that going over well. We have neighborhood schools for a reason. (Map enclosed).

The proposed rezoning that is taking place within my neighborhood and others around me to the North will actually move some kids from Huntsville high that live and attend that school already to Grissom high and vice versa. So we have predominately white kids being moved from a predominately white school to another. This offers no diversity change what so ever, it only allows for displacement of kids that are already attending and established in each school. I proposed at the first meeting that all kids from Airport Rd south stay in the Grissom feeder pattern and anything north stay Huntsville High. Huntsville High also gets all kids that come from over the mountain in Hampton Cove. We actually asked the proposed number of kids that would be affected either by being removed from their existing high school and the number of kids being moved from HH to GHS. We have heard nor received anything regarding the requests. We heard that the number of kids that were grandfathered in as juniors are in the ball park of only 50 students, so if you take that and multiply that by grades 7-10 you will add maybe 250 kids that need to be grandfathered. Even if it was 1000, it is out of 23,000 students in the Huntsville City schools.

I would also like to mention that within the proposed consent we came across something that sparked interest, concern and even debate. It is the fact that kids living on Redstone Arsenal have the ability to choose any school that is not a magnet school and transfer without this being an M-M transfer. They, the school district have offered 6 slots in EACH school to allow for this. If they go unfilled the remaining slots will be filled with only M-M transfers. So this is how Redstone works; the community is strictly leased housing and is offered to Active Duty and now actually anyone who may work on the Arsenal or Retired military may live in on-post housing. This is never usually done. We have over 29 years in the military and have never seen a post offer civilians to live there. This is done here due to one possibly; less of an overall Active duty population and two; people can live off post in better homes and communities for less money. The homes on post are also older and less desired, so they opened it up for other than Active duty. This is not fair to people who reside off post, which bought and offer tax benefits to the city. Our kids are not being fairly represented. I could argue we are military could we have one of those slots? Why does living on the Arsenal offer this ability only? I can tell you it possibly has to do with the schools the kids are zoned for that live on the Arsenal. They are not favored. So some high ranking individuals possibly found a way through.

I have read concessions being made to appease other neighborhoods based on traffic conditions etc. Monte Sano and now we have Blossomwood arguing same information. All we are asking for is a grandfather clause. I know we cannot go back and re-work the zone issue. It would be nice based on the fact we are closer to Grissom and it is a neighborhood school, however we just want a fair shake. I know a lot of this is based on the new Grissom location. However, it is not even due to open until 2017. My daughter would be a junior. The foundation has not even been laid on the property of the new school. When the new Grissom is completed it will still be easier to get to than Huntsville High from our neighborhood. Traveling from our neighborhood to Huntsville high takes us through some busy traffic

and a narrow Whitesburg drive north to the medical district. The traffic is horrendous and dangerous at times. I know as I drive it to work at the hospital daily. The new school would be south on Whitesburg drive with almost no traffic and a straight shot with my child when able to drive herself would never even have to leave Whitesburg drive. So it is much safer. Our grandfather clause proposal is not asking for something that hasn't already been done in the past. Honestly I am not even sure if there is opposition to this request by HCS. But since nothing has been put out as of yet or even a clarification to the order on the website, I am asking you that if in fact we cannot get the HCS or the DOJ to approve one that you will make it part of the final approval of their submitted plan. At each meeting there was no one attending that posed any opposition to it when it was brought up, in fact many people attending that did not even have kids in the system just wanted their voices to be heard agreed with a grandfather clause, seems as if everyone knows the burden that this will pose to the children. After all this is all about the children.

One thing to note, all this seems to be steadfast, meaning that they are in a rush to pass this, rezoned lines start next school year. Even if someone wanted to sell and move to keep their children in their current feeder/zone they could not possibly have enough time to sell, move and get settled in a new home. I brought up that fact at the last forum, the rush and why...and the fact that the Government never even works that fast.

Our plan of a grandfather clause would only apply to existing students and homeowners in the affected neighborhoods. Which again I believe is a small number of children to begin with. These children would phase out of the system within a 5 year time frame. So this is a clause that has an end date. Any new homeowner in the neighborhood would have to follow the new zone pattern as they would know before buying in the neighborhood where the student would be zoned. This not only ends, but could allow for families the time needed to move elsewhere if they had a child at Elementary level that they wished to be in a certain school come Jr high or High school level.

Thank you for your most valuable time in reading my letter. I truly appreciate it. As I mentioned before you may be our only hope for fairness. I hope HCS and the DOJ do the right thing before it becomes necessary for you to ensure that there is equality for all involved. Like I mentioned at the forum, please allow yourself some emotion when making a judgment for our children. These students are our future. We must do everything we can to prevent any emotional stress added to these impressionable young teens. Please allow a Grandfather clause.

Thank you so very much and with sincere gratitude,  
Tehdi and Paul Batiz

The Batiz Family

<http://www.ericdigests.org/2003-2/mobility.html>

<http://www.ncbi.nlm.nih.gov/pmc/articles/PMC3870003/>

[http://uknowledge.uky.edu/cgi/viewcontent.cgi?article=1180&context=gradschool\\_diss](http://uknowledge.uky.edu/cgi/viewcontent.cgi?article=1180&context=gradschool_diss)

<http://www.edweek.org/ew/issues/student-mobility/>

<http://www.ernweb.com/educational-research-articles/the-negative-consequences-of-student-mobility/>





Map 1: High School Boundary Comparison - Proposed HCS Boundaries, Current HCS Boundaries

